

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OKLAHOMA

73-ch-94

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Charles F. Burns Miami, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET No. 1 CASE No. 176
THE UNITED STATES
vs.
Martin BRIONES-Briones

Complaint filed on August 27, 1973, by Oscar E Cooper, Jr
Official title Border Patrol Agent, charging violation of
United States Code, Title 8, Section 1324(a)(2), on August 26
1973, at Miami, Okla in the Miami, Okla
division of the Northern district of Oklahoma
as follows: knowing that aliens Jose Alberto AGUAYO-Cas-
illas, Paul COMEY-Milares, and Jose CHAVEZ-Gonzalez
were then in the United States in violation of law and,
knowing or having reasonable grounds to believe that
said aliens entry into the United States occurred less
than three years prior to the aforesaid date, did trans-
port and move, and attempt to transport and move, said
aliens within the United States, in furtherance of such
violation of law, in violation of Title 8, United States
Code, Section 1324 (a) (2).
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date 8-27-1973 Warrant/Summons for Martin BRIONES-Briones
to (name and title of officer) U S Marshal etc
Substance of return Arrested at Miami, Okla., 8-27-73
Date _____ Warrant/Summons for _____
to (name and title of officer) _____
Substance of return _____

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date August 27, 1973 Arrested by Oscar E Cooper, Jr on warrant of Charles F. Burns
Border Patrol Agent U S Magistrate (Name of issuing officer)
without warrant.
Appearances { for United States None (Name) (Address)
for accused None (Name) (Address)
Proceedings taken Complaint filed and warrant issued. Deft present in open court
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"
without counsel and warrant served on deft. Deft stated that he is a citizen of
Mexico and does not speak or understand English. Oscar E Cooper, Jr., appointed
if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived"
interpreter by the court. Deft stated that he is 21 years of age, born at Zapot-
lanejo, Jalisco, Mexico and resides at the same place; He was born 11-29-51.
Deft advised of his rights and right to be represented by counsel at all stages of
the proceedings, right to a preliminary hearing and right to a continuance. Deft's
bond fixed at \$5,000.00 cash or surety bond and in default of bond he was remanded
to the custody of the U. S. Marshal for his delivery at Tulsa, Oklahoma for further
proceedings before the U. S. District Court.

Outcome Bound over to U S District Court at Tulsa, Okla.
cash or surety bond

Bail fixed 8-27-73, 19 _____ Amount, \$ 5,000.00/ Bonded _____, 19 _____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19 _____ [or] by surety
(name) _____ Address _____
(name) _____ Address _____, who
justified by affidavit dated _____, 19 _____, [or] committed to Tulsa, Okla.
on 8-27-73, 19 _____

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

_____, _____
_____, _____
_____, _____
_____, _____

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____
Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 27 day of August, 19 73

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma, August 27, 19 73

Charles F. Burns

United States Magistrate.

73-ck-94

UNITED STATES MAGISTRATE
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Morris L. Bradford U. S. Court House, Tulsa, Oklahoma
(Name of magistrate) (Address)

MAGISTRATE'S
DOCKET No. 1 CASE No. 1005
THE UNITED STATES
vs.
Martin BRIONES-Briones

Complaint filed on Aug. 27, 19 73, by Oscar E. Cooper, Jr.
Official title Border Patrol Agent, charging violation of
United States Code, Title 8, Section 1324(a)(2) on Aug. 26
19 73, at near Miami, Okla. in the
division of the Northern district of Oklahoma
as follows: Transporting illegal aliens

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Warrant/Summons for
(Name of defendant)
to (name and title of officer)
Substance of return

Date Warrant/Summons for
(Name of defendant)
to (name and title of officer)
Substance of return

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO MAGISTRATE:

Date Arrested by { on warrant of (Name of issuing officer)
without warrant.

Appearances { for United States (Name) (Address)
for accused (Name) (Address)

Proceedings taken First appearance was before Magistrate Burns. On August 28, 1973

(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"
defendant appeared before the undersigned Magistrate and preliminary hearing was

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing"; "preliminary examination waived,"
set for September 12, 1973 at 9:30 A.M. Defendant retained Ray H. Wilburn.

if that is the fact; any adjournments taken, etc.

AUGUST 31, 1973: Defendant by and through counsel waived preliminary
hearing and is bound over for action by the Grand Jury.

Outcome

Bail fixed, 19 Amount, \$ Bonded, 19, by cash
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____
Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____
Certified to be a correct transcript.
Made this 31st day of August, 1973
Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma August 31, 1973

Marion R. Buford

United States Magistrate.

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p>THE UNITED STATES</p> <p>vs.</p> <p>MARTIN BRIONES-BRIONES</p>	<p><i>For U. S.:</i></p> <p>Ben F. Baker</p> <p><i>For Defendant:</i></p> <p>Ray Wilburn(Ret)</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 10-1-73	Clerk					
J.S. 3 mailed 10-1-73	Marshal					
Violation Illegal entry of Aliens	Docket fee					
Title 3 Counts						
Sec. 8						
1324(a)(2)						

DATE	PROCEEDINGS
9-5-73	<p>Def. present in person and rep. by Rey Wilburn, ret. counsel. The govt rep. by B. Baker. Def. waives Indictment; waiver signed and filed. <u>Information filed</u>, Def. arraigned and enters pleas of GUILTY as to Cts. 1,2&3, and is adjudged GUILTY as charged.</p> <p align="right">Judgment and Sentence- MARTIN BRIONES-BRIONES (30)</p> <p align="right">Ct. 1- Probation 2 years</p> <p align="right">Ct. 2- Probation 2 years</p> <p align="right">Ct. 3- Probation 2 years; all to run</p> <p>concurrently, and on conditions defendant does not re-enter U.S. again illegally. (AEB-J)h</p>
9-5-73	Order of Probation filed & entered. Two c.c. to Prob. Office. (AEB-J)h

DATE	PROCEEDINGS